

12600
Ser N171/2894
08 September 2006

MEMORANDUM

From: Commander, Military Sealift Fleet Support Command
To: All Civilian Mariners

Subj: RESTORATION OF FORFEITED ANNUAL LEAVE FOR YEAR 2006

Ref: (a) CMPI 630

1. Reference (a) provides guidance on the accrual and use of annual leave for civilian mariners (CIVMARS). CIVMARS may accumulate up to 360 hours (45 days) of annual leave. Annual leave in excess of 360 hours at the end of the leave year is forfeited. Consistent with the needs of the Command, employees are afforded the opportunity to request and use annual leave during the year so that they do not accumulate annual leave in excess of 360 hours by the end of the leave year.
2. This annual notice is to advise there are three circumstances under which annual leave in excess of 360 hours may be restored to the employee after the end of the leave year:
 - (a) Annual leave was forfeited through administrative error.
 - (b) Exigencies of business, as determined by the Director, Human Resources and Manpower, necessitated denial of annual leave properly requested in writing during the leave year; or
 - (c) Illness requiring the use of sick leave prevented the use of scheduled annual leave.
3. An exigency of business does not exist if other employees are available for assignment and can be substituted for those employees who are requesting ship's leave, ship's funded leave or regular relief. The exigency of business circumstance requires that a CIVMAR request relief (if shipboard via the Purser) and submit a Request for Leave or Approved Absence (OPM Form 71) to his/her Marine Placement Specialist, to ensure excess leave is not forfeited. The Marine Placement Specialist must determine the availability of substitutes or relief in order to avoid a possible forfeiture of leave. Thus, denial of ship's leave or ship's funded leave in and of itself without considering other influencing factors is not considered an exigency of business.
4. To be restored, annual leave must be requested by 15 November 2006. 5 USC 6304 specifically states that in order to be restored, leave lost due to exigencies of the public business must have been scheduled in advance. CIVMARS requesting leave at the end of their tour must take into account the fact that requests for relief are to be submitted 60 days in advance.

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5. CIVMARS may choose not to use all of their leave for a variety of reasons, including personal preference or financial hardship. Such reasons are not a basis for restoring excess annual leave. CIVMARS who anticipate forfeiting leave may wish to donate excess annual leave through the Voluntary Leave Transfer Program. Requests to donate leave must be submitted to the Labor/Employee Relations Branch by 15 November 2006 to avoid forfeiture of the excess annual leave.

6. Requests for restoration of forfeited leave must be submitted in writing to Director, Civilian Mariner Placement Division no later than 30 January 2007, and must be supported with copies of denied leave slips and any other adequate documentation to support the request. Restored leave must be used within two years after restoration.

7. Questions regarding this memo should be addressed to your supervisor who will in turn coordinate with the Marine Placement Division. CIVMARS ashore can discuss procedures outlined in this correspondence with Mr. Britt Skogstad, Civilian Mariner Placement Division Director.

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PHYLLIS B. SPANO

By direction